



ESSEX TENNIS

THE CONSTITUTION & RULES OF ESSEX TENNIS

also known as The Essex County Lawn Tennis Association / Essex County LTA / ECLTA

Essex is defined as: The County of Essex and the London Boroughs of Barking & Dagenham, Havering, Newham, Redbridge, Tower Hamlets and Waltham Forest and the Unitary Authority of Southend-on-Sea and Thurrock.

1 TITLE

THE ORGANISATION SHALL BE KNOWN AS ESSEX TENNIS.

2 OBJECTS

The objects of Essex Tennis shall be:

- a **To advance and safeguard the interests of all aspects of the game of Tennis [and derivatives thereof]** in the County of Essex and to uphold the Rules, Regulations and Disciplinary Code of the Lawn Tennis Association [LTA] and to make, alter, maintain and enforce the rules and regulations for the control of the game in the County.
- b **To employ the funds of Essex tennis** for the purpose and objects of Essex Tennis and in the best interests of Tennis in Essex.
- c **To invest any part of such funds as shall not be required immediately** in such manner as may be considered appropriate and to charge all or part of any such investments to secure the repayment of any advance of money made to Essex Tennis.
- d **To arrange Competitions, Tournaments and Events** to develop tennis in the County of Essex and as appropriate make rules, regulations in connection thereof.
- e **To deal with such matters as may be referred to it** by the Lawn Tennis Association or registered organisations or Club Members of registered organisations.

3 CONSTITUTION

- a **LTA**
Essex Tennis registers and/or affiliates to the Lawn Tennis Association. Resignation from the LTA may only occur following a recommendation from the Council confirmed at a General Meeting of Essex Tennis.
- b **Non-Profit-Making Organisation**
Essex Tennis is constituted by these rules as a non-profit making Members' Organisation.
- c **Advantage Essex Members**
For the avoidance of doubt the funds and assets of Essex Tennis shall belong solely to the **Advantage Essex Members**.
- d **Dissolution.**
In the event of the dissolution/winding up of Essex Tennis any surplus assets or funds of Essex Tennis may only be distributed to **Advantage Essex Members**.
- e **Distribution**
Any such distribution of surplus assets or funds of Essex Tennis shall be made between the Advantage Essex Members in proportion to the amounts paid by them to Essex Tennis, in membership/registration fees, over the previous 5 years. The 5-year calculation of the total annual amounts paid shall be capped each year to a maximum amount of £2,500 for each Advantage Essex Member.
- f **Essex Tennis Competitions Organisation [ETCO]**
Essex Tennis shall organise and support the ETCO.

- g **Indemnify**
All members of the Council, Committees, Sub-Committees, working groups, individuals appointed by the Council or appointed at a General Meeting shall be indemnified out of the assets of Essex Tennis.
- h **Records and Database**
Essex Tennis may retain Member's and Member Organisation's records on a computer database in accordance with any applicable legislation.

4 MEMBERSHIP CATEGORIES

- a **Voluntary Clubs that have completed LTA registration**
- b **Commercial / Proprietary Organisations, with multiple venues, that have a central registration arrangement with the LTA**
- c **Advantage Essex**
- d **Corporate**
- e **VIP**
- f **Other Organisations or individuals as determined from time to time by Council**
- g **Organisations/venues that have completed LTA registration other than those in 4a or 4b**

If practical and appropriate it is a condition of membership of Essex Tennis that the above Membership Categories and any organisation or person using their facilities shall, if appropriate, be bound by and subject to both the Rules of Essex Tennis and the LTA Rules and Disciplinary Code as in force from time to time. Additionally, they accept:

- i That the Essex Tennis Council may terminate the membership of any person or organisation and impose any other sanction they determine to be appropriate, in connection with the breach of any condition set out above or those that follow in this rule.
- ii Not to use their membership of Essex Tennis to endorse or imply endorsement of any product or service, nor use its name in any advertisement or prospectus.
- iii To keep, if appropriate, an up-to-date membership list. This list will include members' names and contact details together with details of an individual's membership category and subscriptions paid. This information shall be provided on request to the Secretary of Essex Tennis.
- iv To fully complete and return all requested information to the Secretary of Essex Tennis or other designated person by the due date.
- v To pay their membership/registration fees by the due date.
- vi To comply, if applicable with the current Safeguarding, GDPR, and the Disclosure and Barring Service [DBS], and any other appropriate legislation.

5 MEMBERSHIP FEES

Essex Tennis & LTA fees may include Affiliation Fees, Registration Fees, Subscriptions, Court Fees, Player Levies, Entry Fees, Competition Fees, and any other fees etc. as deemed appropriate.

- a **Voluntary Clubs that have completed LTA registration**
Fees and the payment date will be set by the LTA.
- b **Commercial / Proprietary Organisations, with multiple venues, that have a central registration arrangement with the LTA**
Fees and the payment date will be set by the LTA.
- c **Advantage Essex**
The basis and the amount of the fees shall be agreed at the Essex Tennis AGM or other appropriate forum. The annual payment date will be set by Council.
- d **Corporate**
The fees and the payment date shall be agreed with the Essex Tennis Commercial Chair/Treasurer

- e **VIP**
The fees and the payment date shall be agreed with the Essex Tennis Commercial Chair/Treasurer.
- f **Other Organisations**
The fees and the payment date shall be agreed with the Essex Tennis Commercial Chair/Treasurer.
- g **Organisations/venues that have completed LTA registration other than those in 5a or 5b**
Fees and the payment date will be set by the LTA.

6 NON-PAYMENT OF MEMBERSHIP FEES

In the event of any fees remaining unpaid after the due date the Council may withdraw membership and benefits and may take such other action as it thinks fit. Non-payment within 14 days of the due date may invalidate any member's cover under the LTA insurance scheme.

7 MEMBERSHIP RESIGNATIONS

Any Member wishing to withdraw/resign from Essex Tennis shall give written notice to the County office.

8 MEMBERSHIP BENEFITS

- a **Voluntary Clubs that have completed LTA registration**
 - i Will be entitled to LTA benefits
 - ii Will have the right to attend, speak and vote [except on AE matters] at Essex Tennis General Meetings [see rule 12].
- b **Commercial / Proprietary Organisations, with multiple venues, that have a central registration arrangement with the LTA**
 - i Will be entitled to LTA benefits
 - ii Will have the right to attend, speak and vote [except on AE matters] at Essex Tennis General Meetings [see rule 12].
- c **Advantage Essex**
 - i Will be entitled to **LTA** benefits [details available from the County Office or direct from the LTA].
 - ii Will be entitled to all AE benefits [details available from the County Office/Essex Tennis Website].
 - iii Will have the right to make proposals at Annual General Meetings [see rule 10].
 - iv Will have the right to attend, speak, and vote at Essex Tennis General Meetings [see rule 12].
- d **Corporate**
 - i Will automatically become Advantage Essex Members [with no LTA benefits].
 - ii Will be entitled to benefits as agreed with Essex Tennis.
 - iii Will be able to link their website to that of Essex Tennis.
 - iv Will be offered identification as a supporter of the County in appropriate publications.
 - v Will be offered Corporate Identification on appropriate team clothing.
 - vi Will receive invitations to attend major County Events e.g. County Competition Finals Days.
 - vii Will have the right to attend, speak and have one vote at Essex Tennis General Meetings [see rule 12]
- e **VIP**
 - i Will automatically become Advantage Essex Members [with no LTA benefits].
 - ii Will be entitled to benefits as agreed with Essex Tennis.
 - iii Will be able to link their website to that of Essex Tennis.

- iv Will be offered identification as a supporter of the County in appropriate publications.
- v Will be offered Corporate Identification on appropriate team clothing.
- vi Will receive invitations to attend major County Events e.g. County Competition Finals Days.
- vii Will have the right to attend, speak and have one vote at Essex Tennis General Meetings [see rule 12].
- f **Other Organisations**
 - i Will be entitled to benefits. [details available from Essex Tennis].
 - ii Will have the right to attend and speak [but not vote] at Essex Tennis General Meetings [see rule 12].
- g **Organisations/venues that have completed LTA registration other than those in 8a or 8b**
 - i Will be entitled to support from the Essex Tennis Team
 - ii Will not be entitled to attend Essex Tennis General Meetings

9 MEETINGS: GENERAL, COUNCIL & COMMITTEES - shall be held and organised as and when appropriate with due notice being sent to those entitled to attend.

- a **Meeting Categories -**
 - i **In Person/People Meetings.**
May be held at appropriate venues where those entitled to attend will meet.
 - ii **Virtual/Remote/online Meetings.**
May be held using appropriate software. At such meetings those entitled to attend will have the right to exercise their vote, except as set out in rule 12 below, and submit proposals or amendments but will not be entitled to attend in person.
 - iii **Email Meetings.**
May be held electronically. At such meetings, those entitled to attend will have the right to exercise their vote, except as set out in rule 12 below, but will not be entitled to attend in person or participate other than voting.
- b **General Meetings** - will only be held in accordance with rules **10** and **11** and in category 9a [i] or [ii] or [iii] above. The Council will determine the Meeting Category.
- c **Council and Committee Meetings** - shall be held as in 9a [i] [ii] and [iii] above. The Meeting Chair will determine the Meeting Category.
- d **Quorums** - No business other than the formal adjournment of the meeting shall be transacted unless a quorum is present, except as set out in Rule 9a [iii]. Such quorum shall consist, unless the Chair decides on a greater number, for General Meetings of not less than twelve persons present who are entitled to vote and for Council and Committee Meetings of not less than four persons present who are entitled to vote.
- e **Vote Recording of Meetings**
The number of votes cast indicating the number of fors, againsts and abstentions must be recorded and made available to all those entitled to attend together with notes regarding the Meeting.

10 ANNUAL GENERAL MEETINGS [notes and guidance etc regarding the meeting, the agenda and papers] – TO ELECT MEMBERS OF THE ESSEX TENNIS COUNCIL AND OTHERS – TO RECEIVE NOMINATIONS AND PROPOSALS

Only Advantage Essex Tennis Member Clubs and Council may make AGM nominations and Proposals.

- a **An Annual General Meeting of Essex Tennis** shall be held in Essex within eight months of the financial year-end and it shall be held not earlier than 6pm on a weekday. The Secretary shall give Members 12 weeks advance notice of the date.

- b **Nominations for Officers and Proposals**
 - i Officers are not required to belong to Member Organisations.
 - ii Proposals relating to financial matters may only be made by the Council.
 - iii All nominations and proposals have to be made in writing or by email to the Secretary 9 weeks prior to the AGM.
 - iv The Council may make any proposals and any nominations in accordance with this rule.
- c **The Ordinary Business of an Annual General Meeting shall be:**
 - i To receive the Report of the Council.
 - ii To receive the Treasurer's Statement of Accounts for the previous financial year, together with any other appropriate papers.
 - iii To elect, if appropriate, the Life Vice Presidents and Vice Presidents.
 - iv To elect **the Essex Tennis Officers as follows, President, Chair, Secretary, Treasurer, ETCO Chair and ETCO Secretary, Performance Chair, Commercial Chair. Those elected as Officers shall all be Members of the Essex Tennis Council.**
 - v To elect an appropriate individual and/or corporate body to undertake an independent review of the accounts, who shall not be a member of the Council.
- d **All Proposals are regarded as Special Business [ordinary business is outlined in 10c].**
- e **AGM Meeting; Notice, Agenda and Papers.**
 These shall be sent to the Officers and other members of the Council and to Secretaries or representatives of Member Organisations and individuals entitled to attend, at least seven days prior to the date previously advised for the meeting. Such notice shall specify the date, time and place/format of the meeting and shall include the agenda with the names of persons standing for election in accordance with this rule. A copy of the Annual Report of the Council and the Treasurer's Statement of Accounts together with any other appropriate papers shall also accompany it.
 The accidental omission to give notice of the meeting, to any person entitled to attend, shall not invalidate the proceedings of that meeting.
- f **Attendance and Voting.**
 See rule 12.
- g **The Chair.**
 The Chair shall take the chair, and in his/her absence, the meeting shall elect its own Chair. The Chair's decision on all matters regarding the conduct of the meeting is final.
- h **Amendments.**
 Except as set out in rule 9a [iii], the Chair may, at his or her sole discretion, permit amendments to be put forward at the AGM by any Tennis Club representative or a Councillor. Every amendment to a proposal shall be proposed and seconded. In the event of there being more than one amendment to any proposal, the last amendment shall be the first voted upon, and if carried shall become a substantive proposal. If an amendment is not carried, the amendment [if any] immediately preceding it shall be next voted upon, and if carried shall become a substantive proposal and so on. In the event of no amendment being carried the original proposal shall be voted upon.

11 EXTRAORDINARY GENERAL MEETINGS AND PROPOSALS

- a **An Extraordinary Meeting of Essex Tennis may be held by the Council whenever it considers it appropriate.**
- b **An Extraordinary Meeting of Essex Tennis**
 Shall be held within eight weeks, after the receipt by the Secretary of a requisition in writing or by an email whose receipt has been acknowledged by the Secretary, to that effect, by seven or more Member Organisations who are Advantage Essex Members. Every such requisition shall specify the business for which the meeting is to be convened and shall be accompanied by an appropriate proposal. No other business shall be

conducted at such meeting. In the event that any of the proposals is not agreed, no requisition for an Extraordinary General Meeting to consider the same proposal, or a proposal in like terms convening the same subject, [unless proposed by Council] shall be submitted within a period of two years of the rejection, this also includes AGMs.

c **Extraordinary Meeting of Essex Tennis; Notice, Agenda and Papers**

These shall be sent to the Officers and other members of the Council and to Secretaries or representatives of Member Organisations and individuals entitled to attend, at least six days prior to the date fixed for the meeting. Such notice shall specify the date, time and place/format of the meeting and shall include the agenda. The accidental omission to give notice of the meeting, to any person entitled to attend, shall not invalidate the proceedings of that meeting.

d **Attendance and Voting.**

See rule 12.

e **The Chair.**

The Chair shall take the chair, and in his/her absence, the Meeting shall elect its own Chair. The Chair's decision on all matters regarding the conduct of the meeting is final.

f **Amendments.**

Except as set out in rule 9a [iii], the Chair may, at his or her discretion, permit amendments to be put forward at the EGM. Any person present (and entitled to vote) may put forward an amendment. Every amendment to a proposal shall be proposed and seconded. In the event of there being more than one amendment to any proposal, the last amendment shall be the first voted upon, and if carried shall become a substantive proposal. If an amendment is not carried, the amendment [if any] immediately preceding it shall be next voted upon, and if carried shall become a substantive proposal. In the event of no amendment being carried the original shall be voted upon.

12 GENERAL MEETINGS, ATTENDANCE, VOTING RIGHTS AND VOTE ENTITLEMENT.

a **In respect of ADVANTAGE ESSEX MATTERS, ONLY Advantage Essex Members, Life Vice Presidents, Vice Presidents and Councillors are entitled to vote.**

b **Vote Entitlement [no of votes allowed] and attendance rights**

i **Voluntary Clubs that have completed LTA registration – who are not Advantage Essex members** are entitled to have 1 vote [except on Advantage Essex Matters] and 2 representatives who will each have the right to speak.

ii **Commercial / Proprietary Organisations, with multiple venues, that have a central registration arrangement with the LTA-** are entitled to have 1 vote [except on Advantage Essex Matters] and 2 representatives who will each have the right to speak.

iii **Advantage Essex Members** [except Corporate] - are entitled to the following representation who are entitled to speak and vote:

0 to 2 courts	[excluding grass courts]	2 representatives & 2 votes
3 to 4 courts	[excluding grass courts]	3 representatives & 3 votes
5 to 6 courts	[excluding grass courts]	4 representatives & 4 votes
7 to 9 courts	[excluding grass courts]	5 representatives & 5 votes
10+ courts	[excluding grass courts]	6 representatives & 6 votes

One representative from each organisation shall cast all their organisations votes.

iv **Corporate Members** - are entitled to have 1 vote and 2 representatives who will each have the right to speak.

v **VIP** – are entitled to have 1 vote and 2 representatives who will each have the right to speak.

vi **Other Organisations** - are entitled to 2 representatives who will have the right to speak but have no vote.

vii **Life Vice Presidents and Vice Presidents** - are entitled to speak and have 1 vote.

- viii **Essex Tennis Officers, Councillors [who are elected at the AGM]** - [are entitled to attend, speak and have 1 vote each or alternatively they may vote as an Advantage Essex Member's representative in accordance with 12b iii] above, in this event they lose their individual vote.

13 THE VOTE COUNTING AND MAJORITIES AT GENERAL MEETINGS

a **Nominations Voting and disallowed votes.**

If there is an election where the number of nominations exceeds the number of vacancies, each person entitled to vote shall vote for as many candidates as there are vacancies and if any person votes for more or less candidates than there are vacancies, their vote shall not be counted.

b **Counting of Votes**

Every nomination or proposal may be decided by a show of hands, unless prior to any vote being taken, the Chair shall decide otherwise. In circumstances where there is a close vote the Chair may decide to have a formal count. Alternatively, a formal count will take place if requested by representatives from three different Advantage Essex Member Clubs.

c **AGM Majorities**

All ordinary business shall be decided by a bare majority of the votes properly recorded, but all other/**Special** business shall need a two-thirds majority for the proposal to be carried. Where a decision by a bare majority only is required and there is an equality of votes there shall be a second count, and if upon such second count there again be an equality of votes, the Chair shall have the casting vote. [The Chair may vote in the first count].

d **EGM Majorities**

All business shall need a two-thirds majority for the proposal to be carried.

14 MANAGEMENT

THE COUNCIL OF ESSEX TENNIS will consist of those elected in accordance with rule 10c iv at the AGM, together with the Essex Tennis LTA Councillor.

They shall be responsible for the day-to-day management of Essex Tennis, managing the affairs of Essex Tennis in accordance with the Constitution, Rules and Objects. They shall meet appropriately in accordance with rule 9 and as soon as possible after the AGM [no later than 5 weeks] to implement as appropriate a], b], c], d], e], f], g], h], i], j], k], l] and m] below.

a **Will confirm the appointments to the Essex Council of the** President, Chair, Secretary, Treasurer, ETCO Chair and ETCO Secretary, Performance Chair, and the Commercial Chair, who were elected at the AGM in accordance with rule 10.

b **Will confirm the appointments to the ETCO** of the ETCO Chair and the ETCO Secretary who were elected at the AGM in accordance with rule 10. Other appropriate members/officers shall be appointed at the ETCO AGM. The ETCO shall be responsible for the administration and the playing rules and regulations of the Essex Leagues and other appropriate County Competitions.

c **Will appoint The Disciplinary Committee.**

Which shall consist of at least three persons, one of whom shall be designated as Chair.

d **May appoint further persons to the Essex Tennis Council.**

e **May appoint**

Any other appropriate persons e.g. Lead Volunteer, Men's and Ladies' Captains & Vice-Captains/assistants, Assistant Secretary, Communications Officer, Junior Competitions Officer, Rules Officer, Performance Officer, Liaison Officers, Membership Secretary, Road to Wimbledon organiser, National League Secretary, Safeguarding Officer, GDPR Officer, Wimbledon Administrators, Men's and Ladies' Seniors Officers, Website Officer, Committee Chairs, etc.

- f **May appoint**
Any other appropriate Committees [and if applicable their Chairs as well as relevant terms of reference] e.g. Performance Committee, Commercial Committee, Treasurer's Committee, Wimbledon Committee, etc.
- g **Shall decide**
all questions of eligibility of persons nominated to serve on the Committees or Council.
- h **Shall decide**
all matters relating to the Management of Essex Tennis.
- i **Shall decide**
all questions as to the right of representation, attendance or voting at General Meetings.
- j **Shall decide**
all questions and disputes between members sent to them for a decision [reserving the right to refer any matter to the LTA or elsewhere as deemed appropriate].
- k **Shall make**
AGM nominations for The President, Vice Presidents and Life Vice Presidents.
- l **Shall decide**
who shall represent Essex Tennis at the Lawn Tennis Association.
- m **Shall decide**
the County Playing award regulations.

15 **MANAGEMENT – Voting rights at Council and other Committees**

Voting rights shall be one vote for each member of the Council/Committee [including the Chair], with the Chair, if appropriate, having an additional/casting vote.

16 **MANAGEMENT – ex officio members**

The Chair, Secretary and Treasurer shall, ex officio, be members of all Committees and all Sub – Committees.

17 **MANAGEMENT – Co-opting**

Committee Chairs/or Committees may recommend for co-option additional members or replacements to their respective Committees, who shall have the same voting rights as the previous occupants and in line with other existing committee members. The names of those appointed or co-opted must be notified within 28 days to the Secretary and agreed by Council.

18 **DISCIPLINARY PROCEDURE**

- a **The Disciplinary Committee**
Shall deal with all complaints from Member Organisations and Members thereof and other appropriate individuals.
- b **All disciplinary complaints**
From Member Organisations and individuals must be received in writing by the Secretary of Essex Tennis within 14 days of the incident. The Disciplinary Committee will consider any complaint over a disciplinary matter referred to it by the Secretary of Essex Tennis, the ETCO or the Council.
- b **Any organisation or individual**
Against whom a complaint has been received shall, within 28 days of that notification being received by the Disciplinary Committee, be provided with a summary of that complaint and shall be invited to make a written representation in answer to it.
- d **A personal hearing**
Will be offered or may be required if the matter is considered to be of sufficient seriousness. Any written representation or request for a personal hearing must be made within 21 days of the notification of the complaint. Where no request for a personal hearing or no written representation has been received within the prescribed time, the matter will be considered taking account of any evidence that is available.

e **The Disciplinary Committee**

Shall have the power to deal with any organisation or individual by expulsion, suspension, infliction of penalties or otherwise as it may think proper.

19 COUNTY FACILITIES

All users and specifically unlicensed/unregistered coaches will be deemed to agree to the LTA's Rules and Disciplinary Code as a condition of any arrangement whereby they use or work at Essex Tennis facilities.

20 COUNTY PLAYING AWARDS

These regulations shall be determined by The Council of Essex Tennis.

21 NOTICES

Essex Tennis, using the last known contact details that they have available of the intended recipient, may communicate any information, notice, or documentation etc., by post, by personal delivery, by electronic communication, or by any other means including by making it available on a website. Non receipt, through accidental omission, shall not invalidate any process or proceedings etc. that were dependent upon the receipt of the communication. Nor will accidental omission mean that Essex Tennis will incur any sort of legal liability or be liable for any damages.